HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION NO: 22702 of 2002

Dated: 01-08-2007

Between:

The Private Medical Practitioners' Association
of India, rep., by its President,
Tadepalligudem,
West Godavari District.

..... PETITIONER

AND

Government of Andhra Pradesh,
Rep., by its secretary,
Secretariat, Hyderabad and another.

.....RESPONDENTS

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No. 22702 of 2002

O R D E R:

This writ petition is filed for a writ of Mandamus to declare the Memorandum No.10343/K1/95-2, dated 22-08-1995, issued by the first respondent as illegal.

The grievance of the petitioner-association is that in terms of the proceedings, dated 25-04-1975, issued by the Government of India, Ministry of Health and Family Welfare Department, it has been making representations to first respondent to ensure an appropriate legislation is brought out to regulate the activities of the Private Medical Practitioners without the recognized degrees under the Indian Medical Council Act or similar Acts to treat the patients and that first respondent has not been taking any action in this regard. Petitioner filed a copy of the representation dated 09-08-2002 along with the writ petition.

When the writ petition came up for hearing on 25-07-2007, the learned Government Pleader for Health and Family Welfare took time to report to the Court about the stage of the consideration of the representation made by the petitioner-association.

Today, Sri P.Harinath, advocate representing the learned

Government Pleader for Medical and Health placed before the Court a memo dated 30-07-2007 addressed to the learned Government Pleader by the Principal Secretary to Government, Health, Medical and Family Welfare-K2 Department, wherein it is mentioned that the representation dated 09-08-2002 has not been received in the Health and Medical Family Welfare Department and therefore, the same is not pending with it.

When the contents of this memo are brought to the notice of the learned counsel for the petitioner, Sri Vinod Kumar Deshpande submitted that the petitioner may be permitted to make a fresh representation to the first respondent and that the writ petition may be disposed of with a direction to the first respondent to take appropriate decision on such representation being made.

Learned counsel representing the Government Pleader says that he has no objection for disposal of the writ petition in the above terms.

In view of the submissions of the learned counsel for both parties, I deem it appropriate to dispose of the writ petition in following terms :

1) Petitioner is permitted to make a fresh representation within two weeks from today and

2) On receipt of such representation, the first respondent shall take appropriate decision on the same within a period of eight weeks.

With the above directions, the writ petition is disposed of. No costs.

C.V.NAGARJUNA REDDY,J

Date: 01-08-2007
Note: Issue C.C. in three days.
B/o
KLP